

CONDOMINIUM REVIEW COMMITTEE
Real Estate Commission
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes.

Date: September 13, 2000

Time: 11:00 a.m.

Place: Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Present: Mitchell Imanaka, Chair
Peter Rice, Vice Chair
Alfredo Evangelista, Member
Charles Aki, Member
John Ohama, Member
Iris Okawa, Member
Patricia Choi, Member

Calvin Kimura, Supervising Executive Officer
Cynthia Yee, Senior Condominium Specialist
Lorene Arata, Condominium Specialist
Shari Wong, Deputy Attorney General
Robert Ito, Recording Clerk

Excused: Michael Ching, Member
Casey Choi, Member

Call to Order: Chair Imanaka called the meeting to order at 11:00 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Condominium Specialist's Report: **Additional Distribution**
The following materials were distributed prior to the start of the meeting:

4.f. Condominium Seminars

Minutes: Upon a motion by Commissioner Aki, seconded by Commissioner Evangelista, it was voted on and unanimously carried to accept the minutes of the August 9, 2000 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

Registrations - AOA Ratification Report

Upon a motion by Commissioner Okawa, seconded by Commissioner Evangelista, it was voted on and unanimously carried to recommend approval to ratify issuance of effective registration dates for Associations of Apartment Owners through August 31, 2000 for the 1999 - 2001 Registration. The associations are as follows:

Harbor Vista Apartments	08/28/2000
Lilipuna Condominium	08/01/2000
Nawiliwili Estates	08/28/2000

AOAO / CMA / CHO Registrations

Specialist Arata reported that as of August 31, 2000 1,411 AOA applications have been received. Of the 1,411 applications received, 1,393 have successfully registered. 110 CMAs and 120 CHOs are also currently registered.

Mediation and Arbitration

Upon a motion by Commissioner Aki, seconded by Commissioner Evangelista, it was voted on and unanimously carried to recommend approval subject to the review and advice of the deputy attorney general, to accept the respective proposals of West Hawaii Mediation Services (dated 8/24/00), Kauai Economic Opportunity Incorporated (8/24/00), and The Island of Hawaii YMCA (dated 8/30/00) and to enter into individual contracts respectively for the delivery of mediation and conciliation services, training and outreach for the compensation amounts respectively proposed and the terms and conditions as set forth in the Scope of Services distributed to prospective vendors; with the Commission's option to automatically renew for another one year term.

Education Calendar - Updated calendar of condominium events circulated for information. This information is also provided on the Commission's webpage.

Condominium Seminars

Upon a motion by Commissioner Evangelista, seconded by Commissioner Ohama, it was voted on and unanimously carried to recommend approval of CAI's seminar "Psychos, Pot Pushers, Prostitutes & Parking-Solving the "P" Problem in Community Associations" October 26, 2000, as a CEF subsidized seminar, subject to the terms and conditions of the current contract.

Specialist Yee attended the "Resolving Condominium Conflicts Does Mediation Really Work?" at the Hawaii Kai Retirement Community presented by the Mediation Center of the Pacific, Inc. on September 11, 2000. She reported that at the conclusion, the limited number of people who attended the seminar appeared excited about mediation. SEO Kimura and Specialist Arata to attend the above seminar on September 20, 2000 at Tokai University. Chair Imanaka to attend the CAI Covenant Enforcement seminar at Hale Koa Hotel and invited other Commissioners to attend. SEO Kimura, Specialists Arata and Yee to attend this CAI seminar.

Case Law Review Program

Articles entitled "Association is Responsible for Minor's Death" and "Property Owners Bound to Terms of Expired Covenants on Promissory Estoppel Theory" from the July 2000 issue of *Community Association Lawreporter* were distributed for informational purposes.

Condominium Related Articles

Articles entitled "Conflict Resolution" and "Capitol Connection" from the August 2000 issue of *Hawaii Community Associations* were distributed for informational purposes.

The article entitled "IRS Audit Techniques Guide" from the Summer 2000 issue of *Ledger Quarterly* was distributed for informational purposes.

Condominium
Project
Registration:

Condominium Project Registration - Public Reports Issued

Upon a motion by Commissioner Ohama, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend approval to ratify issuance of effective dates for public reports for the month of August 2000 as follows:

Proj No	Project Name	Project Address	TMK #	Report	Date
4447	1311 8TH AVENUE	1311 8TH AVE HONOLULU HI 96816	(1)3-03-004:023	Final	08/04/00
4275	20 WEST WAIKALUA	LOT 18,19 & 20 KUHIO HWY KILAUEA HI	(4)5-01-005:003	Suppl 1	08/29/00
4279	25 WEST WAIKALUA	LOT 25 KUHIO HWY KILAUEA HI	(4)5-01-005:003	Suppl 1	08/29/00
4467	ALOHA ACRE CONDOMINIUM	4895 & 4895-A KIKALA RD KALAHEO HI 96741	(4)2-04-005:136	Final	08/22/00
4473	ALOHIA PLACE CONDOMINIUM	2645 ALOHIA PL HAIKU HI 96708	(2)2-07-016:002	Final	08/21/00
4466	AVALON PHASE 3	91-1024 LAULAUNA ST EWA BEACH HI 96706	(1)9-01-102:016	Prelim	08/14/00
4455	BATARA CONDOMINIUM	3822 HO'OHUKI ST LIHUE HI 96766	(4)3-07-006:048	Final	08/09/00
4478	CORTEBELLA PHASE 1	91-1329 KEAUNUI DR EWA BEACH HI 96706	(1)9-01-010:048	Prelim	08/29/00
4465	DESTINY AT MILILANI - PHASE III	KUAOA ST MILILANI HI 96789	(1)9-05-002:001	Prelim	08/02/00
4379	DESTINY AT MILILANI-PHASE I	KUAOA ST MILILANI HI 96789	(1)9-05-002:001	Final	08/28/00
4461	FERN HILL	LOT 2-A OPIHIHALE 2 ND S KONA HI	(3)8-07-014:052	Final	08/01/00
4457	HO'OPOHAKU	3473 PATY DR HONOLULU HI 96822	(1)2-09-049:005	Final	08/17/00
4308	HU'ELANI PHASE 2	91-223 - 91-237 LUKINI PL EWA BEACH HI 96706	(1)9-01-069:008	Final	08/23/00
440	KAHANA BEACH RESORT CONDO	4221 L HONOAPIILANI HWY LAHAINA HI 96761	(2)4-03-001:025	Suppl 2	08/04/00

3270	KILOHANA KAI SUBDIVISION CONDO PROJ	UALAPUE PLACE MOLOKAI HI	(2)5-06-002:007	Suppl 1	08/29/00
4297	KUMULANI AT THE UPLANDS AT MAUNA KEA T	LOT C UPLANDS @ MAUNA KEE OULI WAIMEA HI	(3)6-02-013:022	Final	08/16/00
2165	LAWAI LOA ESTATES	LOT 60 LAWAI HOMESTEADS LAWAI HI 96765	(4)2-05-006:012	Suppl 1	08/29/00
4469	MA'LA AINIA III	76-6019G MAMALAHOA HWY HOLUALOA HI 96725	(3)7-06-005:051	Final	08/17/00
4464	MANGO LANE CONDOMINIUM PROP REGIME	45-906 WAILELE RD KANEOME HI 96744	(1)4-05-011:006	Prelim	08/23/00
4468	NA HALE O MAKENA	MAKENA KEONEOIO RD MAKENA HI 96753	(2)2-01-007:101	Prelim	08/21/00
4479	PAKININUI	LOT 35-A KIOLAKAA-KEAA KA'U HI	(3)9-03-004:034	Final	08/28/00
4452	PONE WAHI HANAI HOLOHOLO NA POMAI KA'I	45-228C WILLIAM HENRY RD KANEOME HI 96744	(1)4-05-016:008	Final	08/01/00
2173	SEABREEZE	933 & 935 KAINUI DR KAILUA HI 96734	(1)4-03-078:089	Final	08/31/00
4422	TERRAZZA PHASE 2	91-1470 KEAUNUI DR EWA BEACH HI 96706	(1)9-01-010:048	Final	08/29/00
4395	TERRAZZA, PHASE 1	91-1470 KEAUNUI DR EWA BEACH HI 96706	(1)9-01-010:048	Final	08/16/00
4460	THREE TREASURES	76-5917 HOLUALOA HMSTD HOLUALOA HI	(3)7-06-003:003	Final	08/02/00
3053	WAIKA'ALULU RANCH	KAAPAHU HOMESTEADS HONOKAA HI 96727	(3)4-04-011:021	Suppl 2	08/22/00

Preliminary Reports: 5
Contingent Final Reports: 0
Final Reports: 16
Supplementary Reports: 6

Total: 27

Program of Work: **Recodification of Chapter 514A** – SEO Kimura reported on the status of the recodification; namely that the Commission is still awaiting the departmental approval of the position in order to proceed with the initial recruitment within DCCA. Should there be no interested applicants, then the Commission will proceed to outside recruitment.

Legislative Acts and Resolutions

The amended Chapter 514A was distributed for informational and reference purposes.

Interactive Participation with Organizations – CAI National Conference Report

Commissioner Patricia Choi and Senior Condominium Specialist Yee summarized the submitted CAI's 48th National Conference report. Commissioner Choi reported that it was an excellent conference and that the conference emphasized that the quality of life was more important than MONEY. Specialist Yee reported that the conference was very informative and provided a wealth of nuts and bolts information. She also

reported that Hawaii's condominium community is experiencing similar problems and issues as their national counterparts. However, Hawaii's condominium community lagged behind a trend which considered a recommissioning approach to reserves for aging buildings. Recommend acknowledgement of the receipt of the CAI's 48th National Conference written report.

CEF Budget &
Finance Report:

Upon a motion by Commissioner Rice, seconded by Commissioner Choi, it was voted on and unanimously carried to recommend acceptance of the June 2000 Condominium Education Fund budget report.

Condominium
Organizations Forum:

There were no comments, recommendations or concerns received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Council of Association of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

Open Forum:

No discussion presented.

Next Meeting:

October 11, 2000; 11:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Bldg.
1010 Richards Street, Second Floor
Honolulu, Hawaii 96813

Adjournment:

With no further business to discuss, Chair Imanaka adjourned the meeting at 11:16 a.m.

Respectfully submitted:

Cynthia M. L. Yee
Senior Condominium Specialist

Date

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____
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